

**CITY GOVERNMENT**  
**OFFICIAL PROCEEDINGS OF CITY COUNCIL**  
**SAVANNAH, GEORGIA**  
**August 25, 2011**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Alderman Jones followed by the Pledge of Allegiance to the Flag. The Minutes of the meeting of August 11, 2011 City Council Meeting and the August 11, 2011 Summary/Final Minutes of the City Council Workshop and City Manager's Briefing were approved upon motion of Alderman Johnson, seconded by Alderman Thomas and carried.

PRESENT: Mayor Otis S. Johnson, Presiding  
Mayor Pro-Tem Edna B. Jackson  
Alderman Tony Thomas, Chairman of Council  
Alderman Van Johnson II, Vice-Chairman of Council  
Aldermen Larry Stuber, Clifton Jones, Jeff Felser,  
Mary Osborne and Mary Ellen Sprague

City Manager Rochelle D. Small-Toney  
City Attorney James B. Blackburn  
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

**LEGISLATIVE REPORTS**

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Johnson, seconded by Alderman Felser, and carried, they were approved:

**ALCOHOL BEVERAGES LICENSE HEARING**

Allen Michael Jaeger for Savannah Wine Cellar LLC, requesting a wine (package with tasting) license for a wine store at 5500 Abercorn Street, Suite 40, which is a new location between 73<sup>rd</sup> Street and Jackson Boulevard in District 4. (New location.)

Rashmikant C. Patel for Shreeji Liquors d/b/a Skidaway Liquor Center, requesting to transfer a liquor, beer and wine (package) license from Sanjay Patel for Suhani & Devam LLC d/b/a Skidaway Liquor Center at 3211 Skidaway Road, which is located between 50<sup>th</sup> and 51<sup>st</sup> Streets in District 3. (New ownership/management.)

Sandra Montgomery for Saimaa International Inc. d/b/a Victory BP, requesting to transfer a wine and beer (package) license from Brijesh Patel for the gas station with convenience store at 1603 E. Victory Drive, which is located between Bee Road and Williams Street in District 2. (New management.)

**ZONING HEARINGS**

Metropolitan Planning Commission (Z-110322-89661-2), recommending an amendment to Section 8-3112(c)(5)e of the Zoning Ordinance to clarify requirements pertaining to digital billboard technology in certain zoning classifications. The recommended amendments clarify some minor language ambiguities, strengthen distance requirements from residential zones, provide that such signs shall not be permitted within the boundaries of any locally designated Historic District or property as well as any Historic District as defined by the National Historic Register, and require that each billboard have an attached placard identifying the owner and the party responsible for its construction

and maintenance and the permit number issued by the Zoning Administrator. (Continued from July 28, 2011. See “First Readings”.)

For the record Alderman Felser recused himself from the discussion on digital billboards. Jim Hansen, MPC’s Director of Development Services, pointed out there is an amendment to make some adjustments to the billboard ordinance. Mayor Johnson stated, since there was a growing support to continue the billboards, what would be the maximum number of billboards in the zone; and how many more will be erected. Mr. Hansen stated it was not possible to give a definitive number; however the best possible answer would be between 0 and 3 additional boards/structures.

Alderman Stuber called to attention a letter that he wanted placed in the record. (This letter is on file in the Clerk of Council’s Office). City Attorney Blackburn questioned the letter mentioned by Alderman Stuber. This letter was a personal recommendation by an individual and not from the Planning Commission. Mayor Johnson stated he took the letter as a person communication and not the official recommendation of MPC. Alderman Jones stated he did not believe the letter was generated by the MPC. Alderman Sprague stated it took 3-people to explain to her the spacing of the signs and the average person on the street would not be able to understand it. Mr. Hansen agreed that it was difficult to understand, and it would be better understood with a map. Alderman Sprague proposed an amendment to the ordinance to better state the terms. Alderman Osborne questioned the 5,000 feet provision. City Manager Toney made the recommendation to change it to 2,500 square feet. Part of the reason for this distance was due to Council’s discussion on the concentration of the number of billboards in a particular area. Mayor Johnson and Alderman Osborne asked once again, how many more billboards would be erected. Alderman Jones stated he needed more clarification before voting on the Unified Zoning Ordinance; there were some areas of concern. Alderman Jackson asked if the sites would be approved before the billboards would be installed. Mr. Hansen stated no; however there were compliance measures that would need to be met before installation. Alderman Sprague pointed out there were many billboards on Montgomery Crossroads and there were many residential areas on Montgomery Crossroads and nearby. Alderman Johnson stated it appears that in defeating one problem, another has been created. In his area blight exists from these billboards that were there. There is a need to be able to remove the visual blight and they are coming down. Alderman Thomas stated he does not have a problem with the billboards, if they are well managed; also the 2,500 feet is a big step forward. He said they should be aware they cannot “clean up” one area, and “dirty up” another area in the process. Alderman Jones asked how many had been taken down. Mr. Hansen stated 43 have been taken down. Mayor Johnson stated they were trying to undo the unsightly by removal. City Manager Toney stated the ordinance does restrict the signage within the historical properly or the urban, redefined areas of Savannah. Also, the City Manger can have a sign removed if it causes many accidents. Alderman Thomas stated it was time they started thinking outside the historic district. Alderman Sprague stated no billboards had been removed in her area. Mayor Johnson stated more work needed to be done to the ordinance; the wording to include 2,500 feet from existing signs; a firm number as to how many more will be erected; work with the owners as to which billboards will come down; and the city get with the county on how this impacts the residential area. Attorney Blackburn stated the Council always has the right to ask for more information. Upon motion by Alderman Stuber, seconded by Alderman Jackson, and carried, with Alderman Felser recused, the public hearing would be continued to September 8, 2011.

Phillip McCorkle, Agent for Donald Amerson and Greg Mackey, Owners (Z-110517-52996-2), requesting to rezone 7208 and 7216 Skidaway Road from PUD-IS-B (Planned Unit Development Institutional) to B-N-1 (Neighborhood Business Limited). The Metropolitan Planning Commission (MPC) recommends approval to rezone the properties from PUD-IS-B to B-N-1 subject to the condition that a one foot non-vehicular access easement be established at the rear of the properties paralleling and preventing direct access onto Central Avenue. The proposed zoning is consistent with the commercial-suburban designation depicted on the Tricentennial Comprehensive Plan Development Map. It is the policy of the City to ensure that residential areas are protected from potential adverse impacts from adjoining business development by requiring appropriate mitigating measures such as landscape buffering, fencing, and access limitations. In addition, alcohol sales are limited in the B-N-1 classification and should pose no adverse impacts to surrounding uses and properties. The sale of alcohol is allowed only in a restaurant and must be served as part of a meal. Recommend approval

of the MPC recommendation. Mr. Hansen stated both of these properties have road frontage on Skidaway and Central Avenue; currently there is no access to Central Avenue to the properties.

Alderman Stuber moved to close the public hearing, seconded by Alderman Thomas and carried. Upon motion by Alderman Sprague, seconded by Alderman Felser and carried, the request was granted.

## **PETITIONS**

Mark Bemis, Owner of KBM Holdings LLC – Petition 13368, requesting to encroach onto the Paulsen Street right-of-way in order to reuse an existing sign framework at 5002 Paulsen Street. The property in consideration is located on the southeast corner of Paulsen and 66<sup>th</sup> Streets in the Medical Arts neighborhood. The property currently houses a strip mall built “several decades” ago with active businesses located within. The original signage for the strip mall includes two (2) posts that were installed in the right-of-way and which have remained in place for many years. As a result of renovations to the building and the influx of new tenants, there is a need for new signage. The petitioner proposes to use the existing posts and replace the individual placards according to the design he has submitted. The petitioner notes that the original signage allowed 2’-8” of bottom clearance, while the redesigned signage will start at 4’-6” above the ground to improve the traffic visibility of Paulsen Street from the 66<sup>th</sup> Street intersection. He is also willing to assume responsibility for costs associated with moving the sign if the City deems necessary for street improvements. The petition has been reviewed by Water Resources and Public Works, Sanitation, Development Services, and Traffic Engineering. There are no objections to the petitioner’s request. Traffic Engineering recommends approval provided that no sign is installed lower than the proposed clearance of four feet six inches (4’6”) from the ground. Furthermore, the City should be held harmless for liability associated with the sign, and the owner must assume responsibility for maintenance. Future property owners will assume said responsibility and must be made aware of this agreement. Recommend advising the petitioner that the encroachment is subject to the petitioner ensuring that the sign maintains a minimum clearance of 4’6” from the ground, accepting all associated liability, and agreeing to assume responsibility for maintenance. Recommend also advising the petitioner that the encroachment grants no ownership rights to the property and that, if ever required, the structure(s) must be removed at petitioner’s expense. Recommend approval.

Upon motion by Alderman Johnson, seconded by Alderman Felser and carried, the petition was granted.

## **ORDINANCES**

### **First Readings**

Digital Billboards. An ordinance to amend the Zoning Ordinance by repealing Section 8-3112 (c) (5)(e). The amendment would make existing digital billboards non-conforming. No new or replacement applications for future digital billboards would be considered. No action was taken at this meeting. No action was taken.

## **MISCELLANEOUS ITEMS**

Appointment to Boards, Commissions and Authorities. Appointment to the Metropolitan Planning Commission (MPC). Upon motion by Alderman Felser, seconded by Alderman Jackson and carried, Murray Stewart Marshall was appoint to the Metropolitan Planning Commission.

Request to Declare Property Surplus – Habitat for Humanity. Recommend that the City declare surplus property located at 0 E. 59<sup>th</sup> Street, PIN 2-0103-12-008, so that it can be quit-claimed to the Coastal Empire Habitat for Humanity. The property, legally described as Lots 2 and 4, Block N, LaRoche Park, Sessoms Ward, is a 60’ x 100’ vacant

lot in the LaRoche Park neighborhood. The City acquired a tax interest in this property via a Marshal's Deed for unpaid City taxes dated December 3, 1963. Since the City does not have clear title to the property, it cannot be developed for infill housing or offered for sale as surplus. Habitat for Humanity is willing to accept a quit claim deed from the City, assume the expense of a quiet title action, and then use the lot for construction of low-income housing. The request has been reviewed by all City bureaus and none have any objections or anticipate any future use for the property. Recommend declaring surplus this 60' x 100' vacant lot in order to quit claim the property to the Coastal Empire Habitat for Humanity. Recommend approval.

Upon motion by Alderman Thomas, seconded by Alderman Jones and carried, the request was granted.

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Upon motion of Alderman Osborne, seconded by Alderman Jackson and carried, the following **bids, contracts and agreements** were approved:

### **BIDS, CONTRACTS AND AGREEMENTS**

Bull Street Fire Station No. 5 – Bid No. 11.123. Approval Recommend approval to procure construction services for the Bull Street Fire Station No. 5 from Dabbs- Williams General Contractors in the amount of \$2,593,000.00. The facility to be constructed is a two story design with apparatus bay and off-street parking area. The two story portion of the building will include first floor office space, a second floor dormitory, a kitchen and related areas. The building design will be approximately 16,000 square feet and the apparatus bay will be a pull-through station, utilizing both 32<sup>nd</sup> and 33<sup>rd</sup> Streets. The parking area will hold approximately 16 standard vehicles. Bids were accepted from pre-qualified bidders only for this SPLOST project. Delivery: 300 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Bull Street Fire Station (Account No. 311-9207-52842-PB423).

Aerial Fire Apparatus – One Time Purchase – RFP No. 11.139. Approval to procure one aerial fire apparatus from Williams Fire Apparatus/Sutphen Corporation in the amount of \$1,172,953.00. The apparatus will be utilized by Fire and Emergency Services to replace unit 8501 which is no longer economical to repair or operate. The reason for not selecting the low proposer, Ferrara Fire Apparatus/Palmetto Fire Apparatus, is that the equipment offered did not meet multiple structural specification requirements. The Palmetto proposal also did not include any of the required equipment or accessories. The method used for this procurement was the Request for Proposed (RFP) which evaluated criteria in addition to cost. Criteria evaluated as part of this RFP were compliance to specifications, submittal of engineering, safety and blue prints, and earliest guaranteed delivery in addition to price. Delivery: 111 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Vehicular Replacement Fund/Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515).

Visitor's Center Phase 2 HVAC System – Bid No. 11.165. Approval to procure construction services for the Visitor's Center Phase 2 HVAC system from Waters Mechanical in the amount of \$422,500.00. The work to be completed includes removal and replacement of two 30-ton HVAC chilled water units that serve the east end of the Train Shed and one 7.5 ton and one 10-ton split system units serving portions of the Head House. The work also includes associated electrical and duct additions and modifications. This project is being funded by a Department of Energy American Recovery and Reinvestment Act of 2009 Energy Grant. Several hundred bidders were solicited for this project and multiple pre-bid meetings were held. Calls were made to secure contractors to participate in this bid process. Three bidders attended the pre-bid meetings, but only one bidder chose to respond. That bidder is currently completing another phase of the work in the same facility and staff is satisfied with their quality of work. Delivery: 60 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Cost/Visitor's Center Renovation (Account No. 311-9207).

Lighting Upgrade – City Hall – Quotation No. 11.080. Approval to procure lighting upgrade services from Pace Electrical Contractors, Inc. in the amount of \$36,343.46. The services will be used by Building and Electrical Maintenance to replace the lighting fixtures in City Hall with energy efficient models. Funding for this project will come from a Department of Energy Grant. The grant was approved based on a specified list of activities that supported recommendations from an energy audit conducted by the Georgia Institute of Technology as part of the Georgia Environmental Partnership in 2009. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, Other Federal Grants/Miscellaneous Grants/Building Repairs/DOE Energy Efficient CBP (Account No. 212-9203-51245-ES200).

Rosemount Pressure and Flow Transmitters for SCADA Equipment – One Time Purchase – Quotation No. 11.088. Approval to procure pressure and flow transmitters from Kazmier and Associates, Inc. in the amount of \$32,814.72. The transmitters will be used with the Supervisory Control and Data Acquisition (SCADA) equipment and are needed for replacement of unserviceable transmitters and system inventory. Because of the specialized nature of the equipment and the limited supplier sources, only three bids were solicited and received. Delivery: 4-6 Weeks. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvement Fund/Capital Improvement Projects/Other Costs/Well Electrical Preventative Maintenance (Account No. 311-9207-52842-WT322 and I & D Operating Fund/I & D Water Operation and Maintenance (Account No. 531-2581-51250.)

Electrical Parts for Lift Station Maintenance – One Time Purchase – Bid No. 11.151. Approval to procure electrical parts from Hagemeyer in the amount of \$32,724.50. The parts are being used by Conveyance to repair lift stations. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs (Account No. 311-9207-52842-SW318).

Hot Water Heater/Boiler Replacement – Emergency Purchase – Requisition No. 11204201. Approval to procure boiler replacement services from Johnson Controls in the amount of \$38,954.00. The services were utilized by the Civic Center for the emergency replacement of an outdated leaking boiler. The old boiler was replaced with 2 new 250 gallon energy efficient water heaters. The reason for an emergency procurement was that the leaking water heater was creating safety issues such as slipping, scalding and mold hazards. Delivery: Immediate. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Ice Rink Control System (Account No. 311-9207-52842-CC502).

Career One-Stop Centers Operations. Approval of a contract with the Georgia Department of Labor in the amount of \$519,314.00. The contract will be for the operation of the Career One-Stop Centers and a satellite center funded by the Workforce Investment Act. Centers are located in Savannah, Statesboro, Hinesville, Brunswick, St. Mary and Effingham County, the satellite center. Services will be provided to unemployed and under employed adults and dislocated workers to assist them with occupational skills training to prepare them for employment providing a self-sustaining wage. Services include outreach and recruitment; initial assessment, intake and referral; orientation and information services; career counseling and planning; case management and service coordination; job search and job placement; and follow-up services. The allocation of funds is \$311,589.00 for dislocated workers and \$207,726.00 for adults.

Grant Award from Georgia Department of Labor. Approval of a Grant Award from the Georgia Department of Labor in the amount of \$256,129.00. The award is from a grant under the Workforce Investment Act of 1998 to provide training and employment services to Dislocated Workers in the nine county Coastal regions for the period of July 1, 2011 – June 30, 2013. This is the initial portion of the expected total award amount of \$1,184,222.00.

Grant Award from Georgia Department of Labor. Approval of a Grant Award from the Georgia Department of Labor in the amount of \$87,638.00. The award is from a grant under the Workforce Investment Act of 1998 to provide training and employment services to adults in the nine county Coastal region for the period of July 1, 2011 – June 30, 2013. This is the initial portion of the expected total award amount of \$1,035,164.00.

Youth Services for Coastal Workforce – Annual Contract Renewal – RFP No. 11.182. Renewed an annual contract to Telamon Corporation in the amount of \$408,501.00, to Paxen Learning Corporation in the amount of \$331,603.00 and to Savannah Impact Program for \$138,000.00 for a total of \$878,104.00. The services will be used by Coastal Workforce Services to assist youth in obtaining their diploma or GED and to move them into post-secondary education, employment or the military. Eligible youth are aged 14-21, low-income, and have one or more of the following barriers; a school dropout; basic skills deficient; one or more grade levels below the age-appropriate grade; pregnant or parenting; having a disability, including a learning disability; homeless or runaway youth; or an offender. Each youth receives a mix of services appropriate to his/her needs including tutoring, work experience, summer employment, leadership development, adult mentoring, alternative secondary school, support services, comprehensive assessment, case management, and follow-up. This is the first of three renewal options available. The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to price. Criteria evaluated as part of this RFP were program elements, outcomes, assessments, performance measures, program management, follow-up activities, prior experience and schedule in addition to a proposed budget. The service providers were selected based on their responses to the proposal requirements. The allocation of funds is as follows: Telamon Corporation - \$201,282 for Bryan, Liberty, and Long counties, \$207,219 for Bulloch and Effingham counties; Paxen Learning Corporation - \$171,965 for Chatham County, \$159,638 for Camden, Glynn, and McIntosh counties; Savannah Impact - \$138,000 for Chatham County. Delivery: As Needed. Terms: Net-30 Days.

Senior Meals – Annual Contract Renewal – Bid No. 11.185. Renewed an annual contract to procure senior meals from Senior Citizens, Inc. in the amount of \$358,800.00. The contract is used by Leisure Services to provide meals for the elderly in the community who show a demonstrated need and who meet the requirements established by Title III. During the current contract period the City provided 73,888 meals (\$3.90 per meal). This is the third and final renewal option available. Although only one bid was received, bids were solicited from all known providers. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, General Fund/Senior Meals/ Food/Catered Meals (Account No. 101-6117-51271).

Water, Sewer, Stormwater Line Repair – Annual Contract Renewal – Bid No. 11.188. Renewed an annual contract for water, sewer and stormwater line repair from Southern Champion Construction (Primary) in the amount of \$895,200.00 and to Savannah River Utilities (Secondary) in the amount of \$922,960.00. The repair services will be used by Water Distribution, Sewer Maintenance and Stormwater Management and will augment City crews during heavy workloads and for deep repairs on various water, sewer and stormwater utility lines. This is the last renewal option available for this contract. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget Capital Improvements Fund/ Capital Improvements Projects/Other Costs/Various Water, Sewer and Stormwater CIP accounts, (Account No. 311-9207-52842-PB428), Water & Sewer Operating Fund/Sewer Maintenance Other Contractual Services, (Account No. 521-2551-51295) Water & Sewer Operating Fund - Lift Station Maintenance/Other Contractual Service, (Account No. 521-2552-51295), General Fund/Stormwater Management/Other Contractual Service ( Account No. 101-2104-5295

Water and Sewer Agreement – Litchfield Condominiums. Queensborough National Bank & Trust Co. received a water and sewer agreement for Litchfield Condominiums. The water and sewer systems have adequate capacity to serve this 45.33-equivalent residential unit development located off Chief O.F. Love Road. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format.

Water and Sewer Agreement – Dollar General Store. Trotter General, LLC received a water and sewer agreement for Dollar General Store. The water and sewer systems have adequate capacity to serve this 1.55-equivalent residential unit development located at 19727 Apache Avenue. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format.

Water and Sewer Agreement – Sunny Estates. Investors Lending Group, LLC received a water and sewer agreement for Sunny Estates. The water and sewer systems have adequate capacity to serve this 28-equivalent residential unit development located off Grove Point Road. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format.

Savannah-Chatham Metropolitan Police Department Headquarters Second Floor Renovations – Bid No. 11.159. Approval to procure construction services for the Police Department Headquarters Second Floor Renovations from Collins Construction in the amount of \$352,417.00. The work will be completed in the Police Chief's suite of offices to accommodate personnel additions, add a new conference room and make other changes including new finishes for all surfaces, HVAC systems for the entire floor, restroom renovations and finished wood floors throughout. Since the work will be performed in an historic building the successful contractor was required to have past experience working with historic buildings and in historic restoration work. The building will remain occupied by the police department though the 2<sup>nd</sup> floor will be unoccupied during construction. The selected contractor is also required to have background checks performed on all personnel and trade contractors that will be working on this project due to the sensitive nature of the building. Delivery: 120 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Public Safety Headquarters (Account No. 311-9207-52842-PB428). City Manager Toney reiterated the importance of the improvements. Upon motion by Alderman Felser, seconded by Alderman Sprague and carried, the contract was approved.

### **ALCOHOLIC BEVERAGE LICENSE SHOW CAUSE HEARINGS**

Abercorn Chevron. A hearing for James O. Adeyelu to show cause why his application to transfer a beer and wine (package) license from Rushir Patel at 206 E. Victory Drive, which is located between Abercorn and Lincoln Streets in District 5, should not be denied based on the owner of the business having owned Malone's on River Street where violations of alcohol laws and regulations resulted in the denial of the 2011 license renewal application. (Continued from August 11, 2011.)

Downtown Chevron. A hearing for James O. Adeyelu to show cause why his application to transfer a beer and wine (package) license from Brijesh Patel at 147 Martin Luther King Boulevard, which is located between Oglethorpe Avenue and Fahm Street District 1, should not be denied based on the owner of the business having owned Malone's on River Street where violations of alcohol laws and regulations resulted in the denial of the 2011 license renewal application. (Continued from August 11, 2011.)

City Attorney Blackburn stated these are convenience stores under the same corporate ownership. The owner is not qualified to hold a license; substitute employees will hold the license. Some employees had some problems with sales on St. Patrick's Day several years ago. They raised the issue of their operating plan. He and the City Manager recommended approval. Police Officer Williams requested the owner Rushir Patel attend required alcohol training. Upon motion by Alderman Osborne and seconded by Alderman Felser and carried, the license was granted requiring the owner Rushir Patel attend an alcohol training program.

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Club 9-Twelve. A hearing for Roy Quarterman to show cause why his application for a liquor, beer and wine (drink) license at 313 - 317 W. River Street, which is the former Malone's on the River location between the Barnard Ramp and Martin Luther King, Jr. Boulevard in District 1, should not be denied based on the continued involvement of the owner and employees of the former business where violations of alcohol laws and regulations resulted in the denial of the 2011 license renewal application.

City Attorney stated this was a continued public hearing with reference to a business owner on River Street, which has had previous hearings on the former establishment. Blackburn swore-in all participants. He stated the problems previously were allowing underage participants in the establishment and the license was suspended. Andy Patel is not a citizen; therefore he cannot hold a license in the state. Several of his employees have held the licenses. The landlord, Mr. Robinson was present; he has not had an active

tenant within the past 6-months. Roy Quarterman is requesting the license; retired military man with a clean record. He has a 20% interest in the business. Young Mr. Patel is the son of Andy Patel and will be the controlling partner. Blackburn said Council could decide if a license could continue at this location, because of the prior ownership and prior methods of operation. Malone's had a meeting before Council on March 25, 2011; to which they lost their license. The City's Revenue Director Tom Vanderhorst stated the Revenue Department and the Police met with the owners. During the meeting they asked for a business plan and a re-employment policy, and an explanation of the sale of the business. They did not provide a new staff roster. Mr. Vanderhorst and Officer Williams stated they still had some concerns. Alderman Jones stated in most of these cases, a person deserves these opportunities. Attorneys Harris O'Dell and Steve Scheer spoke on behalf of the Patels. Mayor Johnson requested to hear the Management Plan. Ms. Heidi Banks, General Manager, presented her proposed plan. Alderman Thomas stated he had visited her pervious bar and it was run professionally.

Upon motion by Alderman Johnson, seconded by Alderman Felser and carried, the public hearing was closed. Upon motion by Alderman Johnson, seconded by Alderman Osborne and carried, the license as granted.

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There being no further business, Mayor Johnson declared this meeting of Council adjourned.



Dyanne C. Reese  
Clerk of Council